



07-30-02

RECEIVED  
JUL 31 2002

PATENT

Our Docket: P-LG 5357

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE** TECH CENTER 1600/2900

In re application of: )  
Padgett et al. )  
Serial No.: Unassigned )  
Filed: Unassigned )  
For: A METHOD OF INCREASING )  
COMPLEMENTARITY IN A )  
HETERODUPLEX )

Commissioner for Patents  
Washington, D.C. 20231

Examiner: Unassigned

Group Art Unit: Unassigned

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"EXPRESS MAIL" MAILING LABEL NUMBER: EV 065 745 184 US

DATE OF DEPOSIT: July 25, 2002

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING  
DEPOSITED WITH THE UNITED STATES POSTAL SERVICE  
"EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER  
37 C.F.R. 1.10 ON THE DATE INDICATED ABOVE, AND IS  
ADDRESSED TO: COMMISSIONER FOR PATENTS WASHINGTON, D.C. 20231.

*Ryan Navarre*

(TYPED OR PRINTED NAME OF PERSON MAILING PAPER OR FEE)

*Ryan Navarre*  
(SIGNATURE OF PERSON MAILING PAPER OR FEE)

Sir:

**PETITION TO MAKE SPECIAL**

Applicants hereby petition to expedite this application by making it special under 37 C.F.R. § 1.102(d), thereby advancing examination of the application out of turn.

Applicants claim special status for this application because it relates to biotechnology and was filed by a small entity.

- (A) The present application is a divisional application claiming priority to U.S. Application Serial No. 10/066,390, filed on February 1, 2002. Applicants are employees of Large Scale Biology Corporation (hereinafter "Assignee"), and according to the conditions of their employment have assigned their rights to the present invention to Assignee. Small entity status has been established. A copy of the Small Entity Statement filed on June 14, 2002, in U.S.

Inventor: Padgett et al.  
Serial No.: Unassigned  
Filed: Unassigned  
Page 2

RECEIVED  
JUL 31 2002  
TECH CENTER 1600/2301

Application Serial No. 10/066,390 is attached as  
Exhibit A.

- (B) The subject invention taught in the present application is directed to Gene Shuffling (hereinafter "Invention"). The invention represents a significant portion of the Assignee's intellectual property portfolio and is a key component of Assignee's on-going licensing strategy. It is therefore, a major asset of the Assignee.
- (C) The Invention offers significant advances and benefits over the current state of the art. The Assignee has limited assets and resources. In order to develop and commercialize this Invention, the Assignee is actively seeking collaborators, or licensees. However, these efforts are being hampered by uncertainty as to the ultimate outcome of the examination of the present application. Thus, expediting examination of the present application is critical to removing a barrier to the development and commercialization of the Invention.

A petition fee of \$130 is being filed herewith, as required by 37 C.F.R. § 1.102(d). The Commissioner is hereby authorized to charge payment or credit any overpayment to Deposit Account No. 03-0370 for any fee associated with this Petition. A duplicate copy of this sheet is enclosed for this purpose.

Inventor: Padgett et al.  
Serial No.: Unassigned  
Filed: Unassigned  
Page 3

Please direct any questions to the undersigned agent or  
Cathryn Campbell.

Respectfully submitted,

July 25, 2002  
Date

JAMES J. Wong  
James J. Wong  
Registration No. 34,949  
Telephone No.: (858) 535-9001  
Facsimile No.: (858) 535-8949

CAMPBELL & FLORES LLP  
4370 La Jolla Village Drive  
7th Floor  
San Diego, California 92122  
**USPTO CUSTOMER NO. 23601**